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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,741	03/12/2004	Philip John Rimmer	04266000-0332	9221
26263	7590	07/13/2005	EXAMINER	
SONNENSCHN NATH & ROSENTHAL LLP			HO, BINH VAN	
P.O. BOX 061080			ART UNIT	
WACKER DRIVE STATION, SEARS TOWER			PAPER NUMBER	
CHICAGO, IL 60606-1080			2821	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

<b>Office Action Summary</b>	<b>Application No.</b> 10/799,741	<b>Applicant(s)</b> RIMMER ET AL.	
	<b>Examiner</b> Binh V. Ho	<b>Art Unit</b> 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 20-46 is/are rejected.
- 7) ☒ Claim(s) 17-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) .<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)               |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-9, 11, 25-32, 39, 40 and 43-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, line 1, it is unclear what is meant by "power limiting circuit"?

In claim 11, lines 1-2, it is unclear what is meant by "does not include a tank circuit"?

In claim 25, line 1, it is unclear what is meant by "power limiting circuit"?

In claim 39, lines 1-2, it is unclear what is meant by "configured with end of life protection"?

In claim 40, lines 1-2, it is unclear what is meant by "excessive symmetric lamp voltage will trigger port overload"?

In claim 43, line 1, it is unclear what is meant by "power limiting circuit"?

Claims 4-9 and 44, 26-32 are rejected because they depend on rejected base claims 3 and 25 respectively.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

Claims 1-2, 10, 12-16, 20-24, 33-38, 41-42 and 45-46 are rejected under 35

U.S.C. 102(b) as being anticipated by Xia (5,872,429).

(Claims 1, 23, 36, 41 and 46)

Xia teaches in Figure 1, a power supply (B,C,I) having a power supply input (A) to receive a first signal having a first frequency (A), a circuit for converting the first signal (A) to a second signal (B,C), and at least one power supply output to output the second signal (B,C), the second signal having a substantially constant current and a second frequency distinctly higher than the first frequency; at least one luminaire having a lamp (Figure 1) coupled to a lamp driver circuit (D), the lamp driver circuit (D) having an input for receiving the output signal (C,E) from the power supply (B,C,I) and configured to use the received output signal to operate the lamp; and a flexible cable inherently connected between the lamp driver input (D) and the at least one power supply output.

(Claims 2, 24, 42)

Xia teaches the power supply (B,C,I) is configured to maintain the second signal (B,C) at the substantially constant current (G) throughout a predetermined range of load impedances present at the power supply.

Claim 10, the use of the lighting system for class 3 is merely an intended use.

Therefore, it cannot be relied upon to define over prior art.

(Claims 12-16, 20-22, 33-35, 37-38, and 45)

Xia teaches as above, and each at least one luminaire is connected to the power supply in parallel (Figure 1), in series (Figure 1), frequency is approximately 48kHz (col. 13, lines 4 +), the second signal has a bi-phase voltage (col. 5, lines 65 +), the

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power supply includes a plurality of output ports (Figure 1), each output port capable of outputting the second signal, the lamp driver (D) is configured to perform at least one of current transformation, lamp ignition, circuit integrity preservation, luminaire preservation, and lamp function control (G), the lamp driver is configured to operate a single lamp (Figure 1), plurality of lamps (Figure 6), the power supply is mounted in a ceiling (col. 1, lines 41 +).

***Allowable Subject Matter***

3. Claims 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

The cited art of the record fails to teach the substantially constant current 1.3A RMS.

***Inquiry***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh V. Ho whose telephone number is 571 272 8583.

The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary



Binh V Ho  
Examiner  
Art Unit 2821

Binh Van Ho  
07/08/2005